

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JIMMY D. BOLENBARKER, JR.,
Plaintiff,

v.

JACK LEE,
Defendant.

)
)
)
)
)
)
)

Civil Action No. 7:12-cv-00131

ORDER

By: Hon. Michael F. Urbanski
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ORDERED

that plaintiff's complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915A(b)(1); plaintiff's motion to proceed in forma pauperis is **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to plaintiff.

Entered: March 22, 2012

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge